

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

INHANCE TECHNOLOGIES LLC,
Defendant.

Civ. No. 5:22-CV-05055-JFM

EXHIBIT 1

TO PQVÆG'QH37/FC] 'UWURGP UKQP 'QH'
VJ G'UP WP 'TGXKGY 'RGTKQF



Toxicology & Regulatory Affairs
7140 Heritage Village Plaza
Gainesville, VA 20155

Phone: (703) 754-0248

Fax: (703) 310-6950

October 12, 2023

Via CDX

Ms. Geraldine Hilton
Environmental Protection Specialist
Office of Pollution Prevention and Toxics
United States Environmental Protection Agency
1201 Constitution Ave NW
Washington, DC 20004
(202) 564-8986

RE: Extension of Suspension of Review Period for SN-23-0002 thru SN-23-0011

Dear Ms. Hilton:

I write on behalf of Inhance Technologies LLC ("Inhance") to seek a 15-day suspension of the review period for the below identified Significant New Use Notices ("SNUNs"), as requested by the United States Environmental Protection Agency ("EPA"). On October 11, 2023, EPA requested that Inhance agree to, and request, further suspension of the SNUN review process to afford EPA time to review supplemental information provided by Inhance pursuant to an August 1, 2023 EPA request. It is our understanding that a 15-day suspension would result in the current SNUN review period concluding on Tuesday, October 31, 2023.

This is the second extension that EPA has requested since Inhance's submission of supplemental information. On September 28, 2023, EPA indicated that it would need additional time to review Inhance's submission and requested that Inhance seek to suspend the SNUN review period for 15 days to allow EPA to conduct an initial review of the submitted materials. EPA noted that it may require additional time to review the data based on the volume of the information submitted. Inhance requested and received a 15-day suspension of the SNUN review period on September 29, 2023. As a result of that 15-day suspension, the SNUN review period is currently set to expire on October 16, 2023.

Based on the foregoing and pursuant to 40 C.F.R. §§ 720.75(b)(2)(ii) and (c)(4),¹ Inhance respectfully requests, that the current SNUN review period be suspended until October 31, 2023. Inhance respectfully requests that EPA consider all of the above-referenced materials before making a final determination on the company's SNUNs.

¹ 40 C.F.R. § 720.75(c)(4) states in pertinent part:

"Extension of notice review period. (1) At any time during the notice review period, EPA may determine that good cause exists to extend the notice review period. . . . (4) The following are examples of situations in which EPA may find that good cause exists for extending the notice review period: (i) EPA has reviewed the notice and determined that there is a significant possibility that the chemical substance will be regulated under section 5(e) or section 5(f) of the Act, but EPA is unable to initiate regulatory action within the initial 90-day period. (ii) EPA has reviewed the submission and is seeking additional information. (iii) EPA has received significant additional information during the notice review period."

Nothing in the foregoing request should be interpreted as a concession that the Long-Chain Perfluoroalkyl Carboxylate Significant New Use Rule, 40 C.F.R. § 721.10536, applies to Inhance's fluorination process.

Inhance has the following consolidated SNUNs in review by the Agency:

Species #	Compound Abbreviation	CAS Number	SNUN Case Numbers
1	PFOA	335-67-1	SN-23-0002
2	PFNA	375-95-1	SN-23-0003
3	PFDA	335-76-2	SN-23-0004
4	PFuDA	2058-94-8	SN-23-0005
5	PFD _o A	307-55-1	SN-23-0006
6	PFtrDA	72629-94-8	SN-23-0008
7	PFteDA	376-06-7	SN-23-0009
8	PFHxDA	67905-19-5	SN-23-0010
9	PFODA	16517-11-6	SN-23-0011

Please reach out to me at 703-754-0248 x8116 or at Jennifer.Fulford@toxcel.com if you need anything further to facilitate the Agency's review of these consolidated SNUN applications.

Regards,



Jennifer Fulford
Representative for Inhance Technologies LLC